

Dennis J. Cook
4127 Ivanhoe Avenue
Norwood, Ohio 45212

- 1/10/03 Letter to opposing counsel with additional documents submitted in response to discovery requests. .50 hrs. 4 copies
- 1/16/03 Letter to client reference invoice from Norwood for copies of records. .25 hrs.
- 1/21/03 **Cook vs. Norwood (U.S. Dist.)** Letter from L. Barbieri with notice to take deposition of Dr. David Helm on 2/28/03 at 10:30 a.m.; copy to client. 25 hrs.
- 1/22/03 **Cook vs. Norwood & Erwin vs. Norwood.** Letter from James Brockman ref. Bob's 1/10/03 letter and enclosures. .25 hrs.
- 1/31/03 **Cook vs. Norwood (U.S. Dist.)**. Letter from Larry Barbieri requesting payment of \$1224.00 for our third of copying charges for records from City of Norwood. N/C.
- 1/31/03 Fax to Barbieri reference payment for copies of documents produced by the City of Norwood and I will forward a check for payment. Check sent for \$1,224.00 for cost of copying charges for documents copied from City of Norwood; meeting with client. .50 hrs.
- 2/2/03 Review documents from City of Norwood reference discovery request and reviewed documents with client; extensive meeting in to the early hours of the morning; explained to client we must meet late in the day, after 6:00 p.m. to review the documents so there will not be any interruptions and we will work until we can no longer work and be productive; copies of documents made so we will have separate set for mark up for exhibit books. 7.75 hrs. copies 983 @ .25.
- 2/3/03 Continue working on review of documents produced by the City of Norwood; continued to make copies for exhibit books; extremely taxing on Cook but the documents need to be reviewed and he is in a position to recall events. 6.75 hrs. 826 copies @ .25.
- 2/6/03 Fax to Dixon reference review of documents at the City of Norwood in Hochbein's possession and request for dates for Hochbein's deposition. .25 hrs.

- 2/7/03 **Cook vs. Norwood (U.S.Dist.).** Letter from W. McGregor Dixon that records are available for Bob's review on Tuesday, 2/11/03, at 1 p.m. .25 hrs.
- 2/9/03 Letter to Brockman reference no additional documents to be produced except the documents already referred to in the Erwin deposition which were already disclosed. .25 hrs.
- 2/9/03 Letter to client reference deposition of Helm is scheduled for 2/28/03 at 10:30 a.m. at Helm's office on Clifton Avenue; scheduled by Barbieri and if he wants to be present he is more than welcome to attend. .25 hrs.
- 2/9/03 Fax to Brookshire letter reference trial date is set for September 1, 2003 and he will need to be available to testify. .25 hrs.
- 2/9/03 Letter to Parsons notifying him of the trial date of September 1, 2003 and he will need to be present to testify. .25 hrs.
- 2/10/03 Fax to Dixon to confirm that I will inspect records at City Hall on 2/11/03. .25 hrs.
- 2/11/03 **Cook vs. Norwood (federal).** Letter from W. McGregor Dixon ref. Discovery ready on 2/11/03 at 1 p.m. at Norwood City Hall and also requesting confirmation of Joseph Hochbein's deposition set for 3/3/03 at 9 a.m. at this office. Inspect records at City Hall. 3.25 hrs.
- 2/12/03 Letter to Dixon and all counsel scheduling Hochbein's deposition for 3/3/03 at 9:00 a.m. .50 hrs.
- 2/14/03 **Cook vs. Norwood (federal).** Letter from Steven Martin's office that Gary Hubbard is on vacation and expected to return 2-19-03 and his deposition can be set at that time. .25 hrs.
- 2/14/03 **SERB vs. City of Norwood, et al.(1998-ULP-11-0658 & 1999-ULP-01-0039)(Dennis Cook).** Prehearing Order; Notice of Unfair Labor Practice Hearing and Prehearing Order; Complaint and Notice of Hearing. .25 hrs.
- 2/14/03 Letter to opposing counsel with notices of depositions for Hubbard, Cross, Kennedy, Jones and Molony. 1.50 hrs. 52 copies.
- 2/18/03 **Cook vs. Norwood (federal).** Letter from L. Barbieri reference getting Dr. Growick's report on Dennis Cook; read and review and sent to client; client here to discuss and there is no report for Growick since the expense and the short timeline do not permit report to be prepared. .75 hrs.

2/24/03 **Cook vs. Norwood et al (federal).** Letter from James Brockman that he cannot make Kevin Cross's deposition set for March 20 at 9 a.m. .25 hrs.

2/27/03 Preparation for Hochbein deposition and meeting with client; discuss with client the issue of documents to be resolved. 6.25 hrs.

2/28/03 **Dennis Cook - 1998 ULP and 1999 ULP.** Notice from SERB that they couldn't file-stamp our motion and return it because we did not send enough copies. .25 hrs.

2/28/03 Letter to opposing counsel via fax changing the location for Hochbein's deposition to the Quality Courts Motel. .25 hrs.

2/28/03 Prepare subpoena to METRO concerning Hubbard, subpoena for Marzella and travel to Columbus to serve BMV and Marzella with subpoenas. 5.5 hrs.

2/28/03 Prepare Plaintiff's 2nd Request for Production of Documents to Norwood; letter to opposing counsel; and prepared 3rd request for Production of Documents to Norwood. 3.25 hrs.

3/1/03 Letter and fax to opposing counsel with Cook's second request for production of documents. .75 hrs. 12 copies.

3/3/03 Letter to opposing counsel reference settlement within policy limits. .25 hrs.

3/3/03 Payment to Quality Courts for room rental for depositions. \$250.00.

3/3/03 Attendance at Hochbein deposition. 2.50 hrs.

3/3/03 Research on the internet concerning bipolar, types of bipolar and what makes the condition worse and better; see bipolar disorder symptoms: Classic and Bipolar II. 1.25 hrs.

3/3/03 Legal research on internet concerning failure to train and read and review Canton v. Harris. 1.50 hrs.

3/4/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri ref. Taking deposition of Dr. Merritt Oleski on 3/26/03; fax back to Barbieri that I am not available on the foregoing date but I am available 3/27/02 or 3/31/02. .25 hrs.

3/4/03 Letter to opposing counsel to concerning amended notice for Cross'

deposition due to conflict of one or more of opposing counsel. .75 hrs. 12 copies

- 3/4/03 **Cook vs. Norwood (fed.)**. Confirmation of Scheduling notice from Litigation Support for Kevin Cross's deposition here on 3/28/03 at 9 a.m. .25 hrs.
- 3/5/03 **Cook vs. Norwood (fed)**. Letter from L. Barbieri ref. Taking deposition of Dr. Merritt Oleski on 3/26/03. N/C.
- 3/5/03 **Cook vs. Norwood (fed)**. Letter from L. Barbieri in response to documents Bob requested be produced for depositions of Donnie Jones, Janet Kennedy and Timothy Molony; read and review and sent to client. .50 hrs.
- 3/5/03 **Cook vs. Norwood (fed)**. Letter from L. Barbieri with documents supplementing City of Norwood's response to our Request for Production of Documents (includes W2s for Dennis Cook, checks issued to Dr. Marzella, personnel file of Jack Cameron, Gary Hubbard, Kevin Cross and other paperwork). .75 hrs.
- 3/5/03 **Cook vs. Norwood (fed)**. Letter from James Brockman with medical records from Dr. Parsons, Dr. Stone, Dr. Beatty, Dr. Koppenhoffer, Dr. Bingham, Dr. Gangl, Dr. Sumida, Good Samaritan Hospital and Daum & Associates; review medical records. .75 hrs.
- 3/7/03 Letter to Barbieri concerning Oleski deposition and no report in my possession concerning his expected testimony. .25 hrs.
- 3/7/03 Letter to Barbieri cancelling Molony's deposition as the result of the production of documents; Kennedy's deposition will not be cancelled and a decision will be made at a later date concerning Donnie Jones deposition. .25 hrs.
- 3/10/03 Research Sixth Circuit cases concerning discrimination including the Robinson case, Kline case, Wells case and review cases cited therein concerning issues of discrimination, concept of pretextual reasons and standards or burdens of proof and necessary items/elements to establish case. 4.75 hrs.
- 3/11/03 **Cook vs. Norwood (fed)**. Letter from James Brockman with Joint Status Report he prepared and requesting to sign all counsels' names. .25 hrs.
- 3/11/03 Fax to Brockman concerning the Joint Status Report and requesting him

to make one change which is the deletion of Erwin from the individuals who were deposed. .25 hrs.

- 3/12/03 Fax to opposing counsel that certified copies of BMV records received but I would not remove staples without opposing counsel approval. .25 hours.
- 3/14/03 **Dennis Cook vs. City of Norwood.** Letter from L. Barbieri requesting that Bob send him copies of documents from BMV. .25 hrs.
- 3/14/03 Letter to opposing counsel concerning notice issued to Metro to obtain records and I will forward a copy when received. .75 hrs. 12 copies.
- 3/14/03 **Cook vs. Norwood (Fed).** Letter from James Brockman with second proposed draft of Joint Status Report. .50 hrs.
- 3/17/03 Letter to opposing counsel with BMV records recently received; hand delivered to all counsel. .25 hrs. paid \$63.00 for delivery of all items.
- 3/17/03 Letter to opposing counsel concerning notice issued to Dr. Bingham to obtain records and I will forward a copy when received. .75 hrs. 12 copies.
- 3/17/03 Letter to opposing counsel changing location of Kennedy and Hubbard depositions to Litigation Support Systems. .25 hrs.
- 3/18/03 **Cook vs. Norwood (fed.).** Letter from L. Barbieri ref. Documents to be produced for depositions; copy sent to client; documents being assembled by Norwood. .25 hrs.
- 3/18/03 **Cook vs. Norwood (fed).** Letter from McGregor Dixon objecting to the use of any of the deposition of Mr. Hubbard against Mr. Hochbein because of his inability to be present. .25 hrs.
- 3/18/03 Preparation for deposition of Janet Kennedy with client; review payroll records, sick and vacation of employees to show Cook was treated differently than other employees and obtain benefit information; meeting with client to determine if he wanted additional areas pursued and the information which was going to be obtained from Kennedy. 4.25 hrs.
- 3/18/03 Fax to Barbieri requesting copies of payroll analysis prepared by Kennedy for 1997, 1998, 1999, 2000, 2001, 2002 and 2003, copies of the vacation calendars maintained by Norwood Public Works for the years 1997, 1998, 1999, 2000, 2001, 2002 and 2003, and documents for the health insurance for the City of Norwood employees. .50 hrs.

3/18/03 Additional fax to Barbieri requesting invoices for Marzella and requisitions. .25 hrs.

3/18/03 Fax to Dixon reference his request to continue Hubbard's deposition because he has a conflict; ok to continue if he gets agreement from all other counsel as to the new date and provided him with date when I can make it. .25hrs.

3/19/03 **Cook vs. Norwood (fed).** Letter from James Brockman with time stamped copy of Joint Status Report. .25 hrs.

3/20/03 **Cook vs. Norwood (fed).** Letter from W. McGregor Dixon availability for deposition dates. .25 hrs.

3/20/03 **Cook vs. Norwood (fed.).** Copy of transcript of Joseph Hochbein taken on 3/3/03; review transcript. 2.25 hrs.

3/21/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with notice of deposition of Dr. Merritt Oleski for 3/27/03 at 10 a.m. at the doctor's office; copy to client. .25 hrs.

3/21/03 Fax to Barbieri reference my objection to the deposition of Oleski. 25 hrs.

3/24/03 **Cook vs. Norwood (fed).** Invoice from Litigation Support Services for \$382.10 for Joseph Hochbein's transcript and court reporter's attendance at deposition.

3/24/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri ref. Dr. Oleski; no report but an earlier report to Workers' Compensation; copy to Cook. .25 hrs.

3/25/03 Letter to Barbieri requesting W-2 forms and health insurance and dental plan payments for Local 914 members. .25 hrs.

3/27/03 Fax to Martin reference Dixon still in trial in federal court and need to reschedule depositions for Cross and Hubbard to March 31, 2003 and want his consent to change date. .25 hrs.

3/28/03 Fax confirmation from Litigation Support reference Cross and Hubbard depositions for 3/31/03. .25 hrs.

3/28/03 **Cook vs. Norwood (fed).** Letter from W. McGregor Dixon reference his conflict in depositions since he is in trial. .25 hrs.

- 3/28/03 Fax to opposing counsel changing deposition dates for Hubbard and Cross due to conflict of opposing counsel. .25 hrs.
- 3/31/03 **Cook vs. Norwood (fed).** Letter from Linda Collier at METRO with information left out of original records sent to us; review additional records. .50 hrs.
- 3/31/03 Letter to opposing counsel with amended answers to discovery for Hochbein; Meeting with client to amend answers to interrogatories for City of Norwood based on discovery provided since signing the original answers and to prevent any claim the answers were not truthful; disclosed additional medical providers; update answers to Hochbein's discovery requests consistent with information obtained during the course of discovery already provided to the other side and new information received immediately prior to amendment from people associated with Norwood or previously involved with Hochbein concerning what was going on in Norwood and treatment of Cook. 4.75 hrs. 60 copies.
- 3/31/03 Fax to Barbieri reference the vacation calenders delivered to the office are for 2002 and 2003 and not 1998 through 2001 as requested. .50 hrs.
- 4/2/03 Letter to client with copy of invoice from Litigation Support for Hochbein's deposition in sum of \$382.10. 25 hrs.
- 4/3/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with documents regarding the health insurance and dental plans for City of Norwood pursuant to deposition notice of Tim Molony and stating that additional documents are being retrieved from storage and that copies of the W-2 forms for members of Local 914 will be made available for inspection; review records. 1.0 hrs.
- 4/3/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with Norwood's responses to plaintiff's 2nd and 3rd request for production of documents. .25 hrs.
- 4/4/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri asking that Bob withdraw 9 new witnesses he listed or in alternative extending discovery cutoff date and trial date; meet with client and the witnesses are not being withdrawn; defendants know exactly what they did and concealed it and there is no need to remove the names; witnesses only recently came to light and opposing side has a duty to disclose them but did not. 1.25 hrs.
- 4/4/03 Meeting with client to further amend (3rd) answers to Hochbein's discovery requests as it relates to question 15 concerning witnesses; the whole

situation is becoming rather complex with information received from Andler concerning contacts from Dixon when he interviewed her; recent information received from Andler concerning the 8/14/98 letter; Andler will talk at the present time because Hochbein is leaving office, Hubbard is gone and Cross is gone; refused to discuss the matter or disclose any information prior to this date; explained to Cook they all have been lying from the start and now the information is coming out when the other employees no longer have to deal with Hochbein, Cross and Hubbard. 5.25 hrs.

- 4/7/03 **Dennis Cook vs. Norwood (fed).** Letter from James Brockman's office with more records from Dr. Helm's office; review additional records. 1.25 hrs.

- 4/8/03 **Cook vs. Norwood (fed).** Letter from W. McGregor Dixon ref. Disclosure on Bob's latest witness. .25 hrs.

- 4/8/03 Telephone conference with Norwood Police and finally able to obtain the name of the individual interviewed by Hochbein and Hubbard for the position of safety director of Norwood in 2000 and his name is Victor Harris; name could not be obtained prior to this date as I attempted to obtain the information in discovery and it was not disclosed; letter to opposing counsel to add Harris' name to the witness list. 1.25 hrs. 8 copies

- 4/9/03 Letter to opposing counsel resending the statement of Harris because Dixon's copy was not legible. .50 hrs.

- 4/9/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with documents from Dr. Marzella's files and with additional job descriptions for positions within the Public Works Department. .50 hrs.

- 4/10/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with Motion to Strike Witnesses or in the alternative for continuance; read and review motion; meeting with client and explained the issue is pretty simple- the defendants knew about these witnesses, I tried to find Victor Harris through Norwood and met a roadblock and the police were unable to provide information and I finally got the information on his name and location, Andler only recently came forward and told me about her meeting with Dixon and what he said; it is a cesspool when you deal with Norwood. 2.75 hrs.

- 4/11/03 Fax to Barbieri concerning his letter dated April 7, 2003 concerning the subpoena issued to Dr. Marzella and the documents are not responsive to

the request issued to Dr. Marzella as the items requested to be produced were not "files ...relating to the 1998 visit" but rather all correspondence received or sent concerning any evaluation or request for evaluation from the City of Norwood, Kevin Cross, Gary Hubbard, Joseph Hochbein, their attorneys, agents or representatives. In addition I requested the complete file maintained by the office of Nick Marzella, Ph.D. for Dennis Cook. The documents you sent are not responsive and I want to examine the entire file and not selected portions. .25 hrs

- 4/13/03 **Cook vs. Norwood (fed).** Letter from James Brockman with amended notice of deposition of Dr. David Helm for 4/25/03 at 9:30 a.m. .25 hrs.

- 4/15/03 **Cook vs. Norwood (fed).** Received from Litigation Support Services a copy of Gary Hubbard's deposition taken on 3/31/03; review Hubbard deposition. 2.75 hrs.

- 4/15/03 Letter to Martin and copy to opposing counsel concerning additional documents received from Metro on Hubbard; medical records and they were sent to Martin and he can distribute them to remaining counsel as I do not have a release permitting me to release them to opposing counsel. .50 hrs.

- 4/15/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri in response to Bob's letter about documents from Dr. Marzella. .25 hrs.

- 4/16/03 **Cook vs. Norwood (fed).** Letter from W. McGregor Dixon with defendant Hochbein's motion to strike; read and review and it is the same as before; if they would merely disclose the information and have their clients tell the truth this wouldn't be a matter of pulling teeth to get at the truth. .50 hrs.

- 4/16/03 Legal research on issue of attorney attempting to conceal, prevent or intimidate a witness not to testify; reference meeting between Dixon and Andler concerning her decision to finally testify to what she knew as the result of Cross and Hubbard leaving the City of Norwood and Hochbein on his way out; USA v. Talao. 1.25 hrs.

- 4/17/03 **Cook vs. Norwood (fed).** Letter from James Brockman with defendant Kevin Cross' motion to strike witnesses; same as Norwood and Hochbein motions to strike; have Cross tell the truth. .25 hrs.

- 4/21/03 **Cook vs. Norwood (fed).** Invoice from Litigation Support Services for \$481.24 for Gary Hubbard deposition transcript.

- 4/22/03 **Dennis Cook vs. City of Norwood (fed).** Letter from L. Barbieri with two

- invoices from Kinkos and requesting we forward our share amounting to \$160.95. .25 hrs.
- 4/22/03 **Cook vs. Norwood (fed.)** Letter from James Brockman ref. Dr. Helm's 4/25/03 deposition cancelled. .25 hrs.
- 4/23/03 Payment of \$382.10 to Litigation Support for deposition transcript of Joseph Hochbein. \$382.10.
- 4/23/03 Motion filed to add an additional witness not previously disclosed by the City of Norwood or any of the Defendants and only recently discovered from the Norwood Police Department; naturally the other side objects. 4.5 hrs. 224 copies
- 4/24/03 **Cook vs. Norwood (fed.)**. Letter from Litigation Support Services with original completed and signed errata sheet and signature page of deposition of Joseph Hochbein. .50 hrs.
- 4/24/03 **Cook vs. Norwood (fed.)**. Letter from Litigation Support Services with transcript of Merritt S. Oleski, Ph.D.; review transcript. 1.25 hrs.
- 4/25/03 Meet with Melissa Andler to complete her affidavit concerning her meeting with Dixon. 1.25 hrs.
- 4/26/03 Legal research concerning intimidation of witness; reviewed U.S. v. Foster, Heffernan v. Hunter concerning issue of Dixon meeting with Andler. 1.75 hrs.
- 4/28/03 **Cook vs. Norwood (fed.)**. Copy of LLS's 4/24/03 letter to L. Barbieri with copy of deposition transcript of Janet Kennedy; review transcript. 1.50 hrs.
- 4/29/03 **Cook vs. Norwood (fed.)**. Letter from L. Barbieri with Motion for Summary Judgment of Defendant City of Norwood and Findings of Fact and Conclusions of Law; start review of motion for summary judgment. 3.75 hrs..
- 4/30/03 Continue to review motion for summary judgment filed by Norwood and it is time consuming going through because of multiple case citations which are required to be read and with all the attachments. 9.25 hrs.
- 5/1/03 **Cook v. Norwood (fed.)**. Invoice from Litigation Support Services for transcript of Dr. Merritt Oleski for \$105.48.
- 5/1/03 **Cook vs. Norwood (fed.)**. Invoice from Litigation Support Services for

transcript of Janet Kennedy for \$369.95.

- 5/1/03 **Cook vs. Norwood (fed).** Invoice from LSS for \$250.00.
- 5/1/03 **Cook vs. Norwood (fed).** Letter from James Brockman with Kevin Cross' motion for summary judgment with proposed findings of fact and conclusions of law. 2.5 hrs
- 5/1/03 **Cook vs. Norwood (fed).** Copy of Steve Martin's 4/30/03 letter to clerk of courts with motion for summary judgment of Gary Hubbard. .25 hrs.
- 5/2/03 Letter to client with copy of invoice from Litigation Support for Kennedy's deposition, Oleski's depostion and duplication of tapes. .25 hrs.
- 5/5/03 Letter to Cook with copy of Norwood's motion for summary judgment and Hubbard's motion for summary judgment. .25 hrs.
- 5/9/03 **Cook vs. Norwood (fed).** Copy of Barbieri's 5/7/03 letter to Litigation Support Services with original signature page and errata sheet for Janet Kennedy. .25 hrs.
- 5/12/03 Fax to Dixon to get the diskettes which the defendants having been passing to each other since October when I initially tried to get them from Barbieri; no luck to date and I want the diskettes. .50 hrs.
- 5/12/03 Fax to Barbieri reference errata sheet to Kennedy deposition is so light I cannot read it and requested him to copy again on a darker setting and fax it to me. .25 hrs.
- 5/13/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with Reply Memorandum in Support of Motion to Strike Witnesses or, in the Alternative, for a Continuance. .75 hrs.
- 5/14/03 **Cook vs. Norwood (fed).** Letter from Valerie Jones at LSS with original completed and signed errata sheet and signature page of Janet Kennedy. .25 hrs.
- 5/15/03 **Cook vs. Norwood (fed).** Letter from Valerie Jones at LSS with copy of her 5/12/03 letter to Bob ref. Janet Kennedy's errata sheet. .25 hrs.
- 5/15/03 **Cook vs. Norwood.** Client dropped off address for David Helm, M.D., and directions to his office. .25 hrs.

Work on research on intra corporate conspiracy issues raised in motions

for summary judgment, qualified immunity, privacy, retaliation, hostile environment reference Sixth Circuit case law (Jackson) and Benningfield case from Fifth Circuit. 6.50 hrs.

- 5/16/03 **Cook vs. Norwood (fed).** Received from SERB copies of orders and opinions on Dennis Jones and Roger Perkins; cases where Cook testified and anticipated to be used for impeachment of Cook; need to review for response to summary judgment motions. 2.25 hrs.
- 5/16/03 Continue to research and work on responses to motions for summary judgment; work on computer research to address the issues concerning age discrimination and attempts to evade it. 6.75 hrs.
- 5/16/03 Meet with Dr. Helm for him to review his affidavit and discuss Cook's case; Helm signed the affidavit and confirmed Cook's condition was made worse by the actions of the City of Norwood. 1.50 hrs.
- 5/17/03 Meeting with Erwin to discuss signing an affidavit for Cook and interviewed him and started preparation of his affidavit; need to meet with him to review affidavit and he needs to read it over before next meeting to make sure it is accurate; if anything is not accurate simply let me know and it will be removed if after reviewing it he has no recollection of the event. 2.50 hrs.
- 5/17/03 Research on Sixth Circuit cases concerning Jackson case and blue collar environments and court's approach to language used in settings and toleration level of language concerning race, sex, etc; attempting to locate a case which endorses the conduct of the City of Norwood and defendants to continue to use the N word, cuss older men, permit a foul mouth environment and unable to locate one. 6.25 hrs.
- 5/18/03 Legal research Sharp v. Cureton; continue to work on responses to motions for summary judgment. 1.25 hrs.
- 5/19/03 Fax and letter to opposing counsel requesting an extension of time to file
an answer to the various motions for summary judgment and preparation of agreed entry to extend time. .25 hrs.
- 5/22/03 **Cook vs. Norwood (fed).** Received file-stamped and recorded copy of Agreed entry extending time for plaintiff to file a memorandum in response to defendants' motions for summary judgment. .25 hrs.
- 5/22/03 Work on response to Hochbein motion for summary judgment; meeting with client to discuss the motions for summary judgment and responses to

the various motions; discussed with him the various motions. 7.75 hrs.

5/26/03 Review with client final draft of memorandum in opposition to Cross motion for summary judgment; read and review with client. Prepare Ruth Cain's affidavit based on interview and telephone calls with her but need to get her to sign the affidavit; she has cold feet and allegedly has documents concerning meetings with the defendants but I have been unable to obtain the documents from her to date; will continue trying to reach her but if I am unable to reach her or she refuses to sign the document there will be no affidavit submitted by her in opposition to the motions for summary judgment. 6.25 hrs.

5/27/03 Prepare Toni Cook's affidavit opposing motions for summary judgment; meet with client and Toni Cook concerning content of her affidavit; review with Toni Cook for accuracy and make sure all information she can substantiate; don't assert anything which she cannot corroborate as everything must be truthful based on her knowledge and not something she heard from someone else unless it is something one of the defendants stated and she heard it. 3.75 hrs.

5/27/03 Fax and letter to opposing counsel requesting an extension of time to file an answer to the various motions for summary judgment and preparation of agreed entry to extend time. .25 hrs.

5/27/03 Meeting with Ray Erwin and Cook reference preparation of Erwin's affidavit in response to motion for summary judgment; extensive meeting to complete affidavit and obtain Erwin's signature. 4.25 hrs.

5/30/03 **Cook vs. Norwood (fed).** File-stamped copy of agreed entry extending time for plaintiff to file a memorandum in response to defendants' motions for summary judgment to 5/30/03. .25 hrs.

5/30/03 Meeting with client to finalize his affidavit in opposition to motions for summary judgment; reviewed final draft with client and made changes as requested and it is ready for his signature. 4.25 hrs.

Continue to work on response to Norwood motion for summary judgment; continue work on response to Cross motion for summary judgment; additional research concerning response; will contact client to review final draft prior to filing concerning his approval. 6.25 hrs.

Work on Osterday affidavit concerning opposition to motions for summary judgment; need to contact him to review to make sure it is accurate. 2.25 hrs.

- Finalize Andler affidavit and make arrangements for her to sign affidavit. 1.25 hrs.
- 5/31/03 Continue work on response to Norwood motion for summary judgment; continue work on response to Cross motion for summary judgment; continue to modify and clarify issues. 7.75 hrs.
- 6/1/03 Finalize Osterday affidavit and review with Osterday to assure it is accurate; if anything cannot be defended based on his personal knowledge the document should not be signed. 1.75 hrs.
- 6/2/03 **Cook vs. Norwood (fed).** Letter from W. McGregor Dixon with documents retrieved from computer disks provided to him from City of Norwood. .25 hrs.
- Work on findings of fact and conclusions of law and mark copies as requested by the Judge and specified in his rules; work on all findings of fact and conclusions of law to meet the deadline for a response. 9.25 hrs.
- 6/10/03 **Cook v. Norwood (fed).** Letter from James Brockman with Defendant Kevin Cross' reply in support of motion for summary judgment; read and review. 1.25 hrs.
- 6/10/03 **Cook vs. Norwood (fed).** Letter from W. McGregor Dixon with reply memorandum of defendant Hochbein; typical, once I catch them they allege I am doing something improper or making improper allegations; the problem with these gentlemen are they are taking on the character of their clients. .75 hrs.
- 6/10/03 Letter to Dixon by regular mail and fax concerning him downloading the information from the disks from Hochbein's computers; attempting to get the information for months and still cannot get the disks but rather get a mound of papers; the entire process is a joke as the information was removed by Norwood from the computer and no one cares there is a violation of Judge Spiegel's specific instruction; told Dixon to send the disks. .75 hrs.
- 6/11/03 Fax to Dixon confirming Limoli will go to his office to copy the disks from Hochbein's computer as Dixon is unable to do it; if he informed me of this months ago the matter could be resolved; the motions for summary judgment are filed and Defendants continue to delay forwarding documents requested months ago. .50 hrs.
- 6/11/03 **Cook vs. Norwood (fed.)** Letter from W. McGregor Dixon in response to

Bob's 6/10/03 fax about zip disks; attempting to explain how Norwood removed information and I am not surprised. .25 hrs.

7/8/03 Payment to Blumberg for dividers for exhibit books. \$1,016.00.

6/12/03 **Cook vs. Norwood (fed).** Letter from L. Barbieri with Reply Memorandum of City of Norwood in Support of Motion for Summary Judgment. 1.50 hrs.

7/10/03 **Cook vs. Norwood et al. (Fed).** Order from Judge Weber rescheduling the trial to the June 2004 trial term; copy sent to client; meet with client and discuss postponement of trial date and advised him that the Judge made it clear who is running his courtroom at the pretrial conference and there is no benefit to getting upset; case will go to trial when the Judge says it will and not when we want it too; so accept it. 1.25 hrs.

7/24/03 Payment to Litigation Support for depositions taken. \$956.67.

7/24/03 Payment to Litigation Support for duplication of Target 5 Investigation tapes. \$250.00.

7/24/03 Payment sent to Barbieri for Kinko copies in the sum of \$160.95. .25 hrs.

8/29/03 **Cook vs. Norwood (Common Pls. Ct.).** Notice from assign. Comm. Of case set for status report on 11/6/03 at 9 a.m.

9/2/03 **Cook vs. Norwood (fed).** Fax from Dr. Auvil at TriHealth with letter from him stating that Mr. Cook was not capable of having his deposition taken.

10/2/03 Legal research on offset of pension benefits as it applies to Cook; Hamlin v. Flint, jury verdict research, Brok v. Montgomery. 2.75 hrs.

10/6/03 Letter to Barbieri reference settlement of Cook case and it must be settled independent of Erwin or Osterday case. Letter to client reference meeting with attorneys for Norwood and efforts at settlement were unsuccessful as they are lumping cases together to attempt to settle the claims; prepare for trial. .25 hrs.

11/10/03 **Dennis Cook vs. Norwood (Judge Davis).** Notice from assign. Comm. Of case set for status report on 1/13/04 at 8:45 a.m.

12/17/03 **Cook vs. City of Norwood (A0309489).** Notice from assign. Comm. Of case set for CMC initial case management on 2/25/04 at 2 p.m.

12/17/03 **Cook vs. James Conrad. (A0309488).** Notice from assign. Comm. Of case set for CMC initial case management on 2/25/04 at 2 p.m.

Total Hours: 217.75
Hourly Rate: \$225.00
Copies: \$220.50 (10 X 2205)00
Expenses: \$3,078.72
Charges: \$48,993.75

TOTAL AMOUNT DUE: \$52,292.97